IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

OP.No. 15865 of 2001(L)

PETITIONER:

THE REGIONAL PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANISATION,
SUB-REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN,
KALOOR, KOCHI - 682 017.

BY ADV. SRI.N.N. SUGUNAPALAN, SC, P.F.

RESPONDENTS:
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1. AMALGAM FOODS PVT. LTD.,
   EZHUPUNNA,
   ALAPPUZHA DISTRICT,
   KERALA.

2. THE EMPLOYEES PROVIDENT FUND APPELLATE TRIBUNAL,
   NEW DELHI.

BY ADV. SRI.V.GIRI
SRI.T.R.RAJAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P NO. 24935/01 IN O.P. NO. 15865/2001

DISMISSED

29.06.2007 SD/- KURIAN JOSEPH, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT APPELLATE TRIBUNAL DATED 18.2.1998.

EXT.P2: TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT TRIBUNAL DATED 16.04.1998.

EXT.P3: TRUE COPY OF THE APPEAL FILED BY THE 1ST RESPONDENT BEFORE THE 2ND RESPONDENT TRIBUNAL.

EXT.P4: TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE DEPARTMENT IN ATA-7(51)99 AND CONNECTED APPEALS.

EXT.P5: TRUE COPY OF THE APPEALS ALLOWED BY THE 2ND RESPONDENT TRIBUNAL BY ORDER DATED 07.12.1999.

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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O.P. NO. 15865 OF 2001

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Dated this the 29th day of June, 2007.

JUDGMENT

The matter pertains to the assessment under the E.P.F and M.P Act. There is already an interim order in C.M.P. No. 24935/2001 directing the 1st respondent to furnish the details. In view of the said interim order, it is not necessary to consider this writ petition on merits except to order that the observations and findings with regard to the laches on the part of the petitioner are expunged.

The original petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

rv

KURIAN JOSEPH, JUDGE.

O.P. NO. 15865 of 2001

29th day of June, 2007

JUDGMENT